

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS PO Box 1450 Alexandria, Viginua 22313-1450

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/381,631	03/01/2000	PIERRE JEANVOINE	1247-0822-0V /J (+	4206

06/28/2003

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET

ALEXANDRIA, VA 22314

VINCENT, SEAN E

ART UNIT

1731 DATE MAILED: 06/28/2003 PAPER NUMBER

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED:

OBLON, SPIVAK, McCLELLAND MAIER & NEUSTADT, P.C.

DOCKETING DEPT

Initials/Date Docketed:

Type of Resp(s): Resp

Due Date(s):

PTO-90C (Rev. 07-01)



Commissioner for Patents United States Patent and Trademark Office Washington, D.C. 20231 www.uspto.gov

ATTY, DOCKET NO./TITLE

FILING DATE APPLICATION NUMBER

FIRST NAMED APPLICANT

/		O	IPE	ė)																
PANC	ال	•	0 9 2003	NO.	TICE (OF IM	IPRO	PER	REQ	UES	T FOI	R CO	NTIN			MAIL		N (RC	(E)	
Th im	e r	eq	uest for ear	contin son(s)	ued ex	xamin ated b	ation elow	(RCI	E) und	der 3	7 CFF	₹ 1.1	14 file	ed on	4	0/5	10	3	i	s
	1.	A	ontinued pplicant i nder 37 (may w	ish to	consi														•
	2.	J٤	ontinued une 8, 19 r a CPA (95.	Applic	ant m	ay wi	ish to												
0		th th a r	ontinued te applicate te reply we reply, the tion.	ation is vill be	s close entere	ed. If t ed and	the R	CE wasider	vas ac ed un	ccom _l nder 3	panie 7 CF	d by a R 1.1	a rep	ly to a	non RCE	-final was <u>ı</u>	Offic not a	e acti	on, panied	by
	4.	gr a	he reque ranted. I petition under 37 C	f this a under	applica 37 CF	ation h	has n	ot ye	t issu	ed as	a pa	(ent,	appli	cant n	nay v	vish to	ocn	sider	filing 6	either
	5.	0	The reque or procee petition ur	dings	termir	nated	on						Appl	icant					andor r filing	
	6.	1	he reque .114. Silentice of a	nce th	е арр	licatio	n is r	not ur	nder a	арреа	ıl, the	time	perio	od set	forth	in the	e fina			
×	7.	а	he reque pplication	n is no	ot und	er app	peal,	the ti	me pe	eriod	set fo	rth in	the t	final C	Office					
the rec	ut que	tility est	f a reque y or plan for a Cl ion. The	t appli PA ha	cation s bee	i (indi n trea	uding ated a	a pro as a	eviou: RCE	sly file becau	ed CF use th	PA) the CP	nat wa PA pra	as file actice	d on no lo	or aft onger	er Ma appl	ay 29,	2000	
				A c	ору (of th	is n	otic	e <u>ML</u>	JST	be re	eturi	ned	with	any	/ rep	ly.			
Dir	ect	the	e reply an	d any e	questic	ons ab	out th	nis not	tice to:	:										
								_, Ex	aminir	ng Gro	oup									
(70	3)	30_			·															

FORM PTO-2051 (Rev. 3/2001)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS PO. Box 1450 Alexandra, Vignia 22313-1450

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.				
09/381,631	03/01/2000	PIERRE JEANVOINE	1247-0822-0V	4206				
22850	7590 06/28/2003		_					
		, MAIER & NEUSTADT, P.C.	EXAMINER					
1940 DUKE S ALEXANDRI	TREET IA, VA 22314		VINCENT, SEAN E					
			ART UNIT	PAPER NUMBER				
			1731					
			DATE MAILED: 06/28/2003	}				

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED: 1203
OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.

DOCKETING DEPT. Initials/Date Docketed:

Type of Resp(s): /Con Due Date(s):

PTO-90C (Rev. 07-01)



Commissioner for Patents United States Patent and Trademark Office

Washington, D.C. 20231

www.uspto.gov

APPLICATION NUMBER

FORM PTO-2051 (Rev. 3/2001)

FILING DATE

FIRST NAMED APPLICANT

ATTY, DOCKET NO,/TITLE

DATE MAILED:

		NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)
Th im	e re prop	quest for continued examination (RCE) under 37 CFR 1.114 filed on $\frac{6563}{2}$ is per for reason(s) indicated below:
		Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d).
		Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d).
0	1 1 2	Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was not accompanied by reply, the time period set forth in the last Office action continues to run from the mailing date of that action.
	;	The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
	5.	The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
	6. 1	The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
¥	7.	The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
the rec	e util que:	If a request for a continued prosecution application (CPA) under 37 CFR 1.53(d) has been filed in ity or plant application (including a previously filed CPA) that was filed on or after May 29, 2000, the st for a CPA has been treated as a RCE because the CPA practice no longer applies to such ation. The constructive RCE, however, is improper for reason(s) indicated above.
		A copy of this notice <u>MUST</u> be returned with any reply.
Dir	ect t	he reply and any questions about this notice to:
_		, Examining Group
(70	3 (20	0



Docket No.: 1247-0822-0V PCT (146465US0PCT)

COMMISSIONER FOR PATENTS ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/381,631

Applicants: Pierre JEANVOINE, et al.

Filing Date: March 1, 2000 CPA FILED: May 23, 2002

For: METHOD AND DEVICE FOR MELTING AND

REFINING MATERIALS CAPABLE OF BEING

VITRIFIED
Group Art Unit: 1731
Examiner: S. Vincent

SIR:

Attached hereto for filing are the following papers:

NOTICE OF APPEAL; APPEAL BRIEF W/APPENDIX (IN TRIPLICATE); PETITION FOR EXTENSION OF TIME; COPY OF NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)

Our check in the amount of \$1,160.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,

OBLON
SPIVAK
MCCLELLAND
MAIER

NEUSTADT P.C.

Norman F. Oblon (703) 413-3000

noblon@oblon.com

Harris A. Pitlick

(703) 413-3000

hpitlick@oblon.com
*Bar Other Than

Virginia

MAIER & NEUSTAPT, P.C.

Norman F. Oblon

Registration No. 24,618

Harris A. Pitlick

Registration No. 38,779

(703) 413-3000 (phone) (703) 413-2220 (fax)

1940 DUKE STREET ALEXANDRIA, VIRGINIA 22314 U.S.A. TELEPHONE: 703-413-3000 FACSIMILE: 703-413-2220 WWW.OBLON.COM